

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, NOVEMBER 5, 1986  
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Olson,  
Pinkerton, Snider, and Reid (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City  
Manager Glenn, Community Development  
Director Schroeder, Assistant City Engineer  
Robison, City Attorney Stein, and City Clerk  
Reimche

INVOCATION The invocation was given by Pastor Richard Lungren,  
Retired, First Methodist Church

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Reid.

PRESENTATIONS Mayor Reid announced that a Resolution of Appreciation  
would be presented to Emery Holloway, retiring Field  
Services Supervisor, at his retirement luncheon.

PROCLAMATIONS

CC-37 Mayor Reid presented the following proclamations:

a) "Veterans Day" - November 11, 1986

b) "Mayors' D-Day in the War on Drugs" - November 18,  
1986

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City  
Manager, Council, on motion of Council Member Hinchman,  
Olson second, approved the following actions hereinafter  
set forth.

\* \* \* \* \*

CLAIMS CC-21(a) Claims were approved in the amount of \$2,903,898.75.

MINUTES The Minutes of September 17, 1986, October 1, 1986,  
October 8, 1986, 7:30 p.m., and October 8, 1986, 9:20 p.m.  
were approved as read.

ACCEPT IMPROVEMENTS  
IN CHEROKEE LANE/HALE  
ROAD

RES. NO. 86-159 Council adopted Resolution No. 86-159 accepting the  
Development Improvements included in Cherokee Lane, Hale  
Road to 300 feet north of Hale Road and Cherokee Lane to 80  
feet east of Lloyd Street.

CC 300 Council was apprised that the subject improvements have  
been completed in substantial conformance with the  
requirements of the Development Agreement between the City  
of Lodi and Washington Savings and Loan Association dated  
April 16, 1986 and as specifically set forth in the plans  
and specifications approved by the City Council.

Continued November 5, 1986

AGENDA ITEM  
REMOVED FROM  
AGENDA

With the concurrence of the City Council, Agenda item e-1-D - "Accept improvements - Stadium Seating" was removed from the agenda.

PINE STREET, ELM  
STREET @ SPRR,  
STREET IMPROVEMENTS  
ACCEPTED

CC-12(a)

Council accepted the improvements for "Pine Street, Elm Street @ SPRR, Street Improvements" and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract for the subject improvements was awarded to Claude C. Wood Company of Lodi on August 6, 1986 in the amount of \$59,778.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was November 13, 1986, and the actual completion date was October 29, 1986. The final contract price was \$65,462.00. The difference between the contract amount and the final contract price is mainly due to an overrun in asphaltic quantities and some extra work on regrading.

AWARD - ANNUAL  
LANE LINE  
PAINTING

RES. NO. 86-160

CC-12(a)

CC 3-80

City Manager Peterson presented the follow bids which had been received for Annual Lane Line Painting within the City of Lodi:

Safety Striping Service, \$14,442.20

Traffic Limited, \$15,137.92

Central Striping, Inc., \$19,859.27

On recommendation of the City Manager, Council adopted Resolution No. 86-160 awarding the contract for Annual Lane Line Painting to Safety Striping Service in the amount of \$14,442.20.

SPECS FOR TWO  
MID-SIZE EXTENDED  
CAB PICKUP TRUCKS  
APPROVED

CC-12.1(b)

Council approved the specifications for two mid-size extended cab pickup trucks and authorized the advertisement for bids thereon.

PLANS AND SPECIFICATIONS  
FOR "LOWER SACRAMENTO  
ROAD MEDIAN CURB  
AND GUTTER"  
APPROVED

CC-12.1(a)

Council approved the plans and specifications for "Lower Sacramento Road Median Curb and Gutter" and authorized the advertisement for bids thereon.

Council was apprised that this project consists of the installation of approximately 740 feet of curb and gutter and modification of one catch basin on the east side of the Lower Sacramento Road median adjacent to Lodi Park West #6. The developer is planning on providing the sprinkler and landscaping at no cost to the City. Funds will come from the Widening Account of the Gas Tax Fund.

Continued November 5, 1986

APPROVAL OF LEASE/  
PURCHASE AGREEMENT  
FOR NEW STREET  
SWEEPER

CC-20

Council approved and authorized the City Manager and City Clerk to execute a five-year lease purchase agreement for a 1986 FMC High Dump Street Sweeper.

RIGHT-OF-WAY  
AGREEMENT FOR 1320  
WEST LOCKEFORD  
STREET

CC-46

Council was advised that the City is acquiring 25 square feet on the southwest corner of Ham Lane and Lockeford Street for the installation of traffic signals at this intersection. The City will pay the owners \$250.00 for the 25 square feet.

Council approved the Right-of-Way Agreement for 1320 W. Lockeford Street, owned by Burton J. Yamada, et al., and authorized the City Manager and City Clerk to execute this agreement on behalf of the City.

RENEWAL OF CONTRACT  
WITH FAMILY SERVICES  
AGENCY APPROVED

CC-6

Council authorized the City Manager to enter into a contract with the Family Services Agency to continue the City's Employee Assistance Program at a cost of \$21,240 per year.

CLASS SPECIFICATIONS  
FOR THE POSITION OF  
PARKS SUPERINTENDENT  
APPROVED

CC-34

Council approved class specifications for the position of Parks Superintendent.

ITEM WITHDRAWN FROM  
CONSENT CALENDAR AND  
PLACED ON REGULAR  
CALENDAR

With the concurrence of the Council, Agenda item e-1-M - "Adopt Resolution No. 86-161 adopting a five-year transit plan" was withdrawn from the Consent Calendar and placed on the Regular Calendar.

PUBLIC HEARING SET  
TO CONSIDER APPLICATION  
TO OPERATE VEHICLE  
FOR HIRE

CC-6

CC-22(a)

City Clerk Reimche advised the Council that a Public Hearing had been set for November 19, 1986, 7:30 p.m., to consider an application received from Eric Schneider to operate a limousine service within the City.

PUBLIC HEARING SET  
TO CONSIDER REPORT  
ON THE COST OF WEED  
ABATEMENT WITHIN  
THE CITY OF LODI

CC-24(b)

Council set a Public Hearing at the Regular Council Meeting of Wednesday, November 19, 1986 at 7:30 p.m. pursuant to Government Code Section 39576 to consider a report on the cost of weed abatement within the City of Lodi.

PUBLIC HEARING SET  
REGARDING HUTCHINS  
STREET IMPROVEMENT  
PROJECT - RIMBY TO  
VINE STREET

CC-45(a)

Council set a public hearing on the Hutchins Street Improvement Project - Rimby to Vine Street, for December 17, 1986 at 7:30 p.m. to consider the Environmental Impact Report Update and project alternates.

Continued November 5, 1986

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## PUBLIC HEARINGS

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Reid called for the Public Hearing regarding the Declaration of Impaction and Notification of Conditions of Overcrowding 1986-87 by the Lodi Unified School District Governing Board.

The matter was introduced by City Manager Peterson. Further information was provided by Community Development Director Schroeder.

SCHOOL IMPACTION FEES  
ESTABLISHED

RES. NO. 86-166

CC-7(e)

cc 3-5

Ms. Mary Joan Starr, Facility Planner for the Lodi Unified School District, addressed the Council presenting an overview of the Lodi Unified School District 1986-87 CC-43 Development Fee Report and responded to questions as were posed by members of the Council.

Ms. Starr advised that there is presently impaction in 25 school attendance areas within the district and urged that the current fee of \$200.00 per bedroom and \$250.00 per mobile home park space be continued.

Provisions of AB 2926 which makes major changes in the law governing the imposition of developer fees to finance construction of school facilities were reviewed. A lengthy discussion followed.

Council Member Pinkerton asked that the record show that he wants the City Attorney to challenge this law.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Council Member Snider, Olson second, Council accepted the Declaration of Impaction and Notification of Conditions of Overcrowding 1986-87 by the Lodi Unified School District Governing Board declaring impaction in 25 school attendance areas.

The motion was carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Snider, and Reid  
(Mayor)

Noes: Council Members - Pinkerton

Further on motion of Mayor Pro Tempore Olson, Hinchman second, Council set the impaction fee for the City of Lodi at \$200.00 per bedroom and \$250.00 per mobile home park space until such time as the School Governing Board confirms pending state school impact fee legislation.

The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Snider, and Reid  
(Mayor)

Noes: Council Members - Pinkerton

## RECESS

Mayor Reid declared a five-minute recess and the meeting reconvened at 7:57 p.m.

Continued November 5, 1986

PLANNING COMMISSION City Manager Peterson presented the following Planning  
REPORT Commission Report of the Planning Commission Meeting of  
October 13, 1986:

CC-35 The Planning Commission -

- ITEMS OF INTEREST
1. Conditionally approved the request of Dillon Engineering on behalf of California Cushion Co., Inc., for a Tentative Parcel Map to join 1301, 1311, 1321 and 1351 East Pine Street (i.e., APN's 049-040-52, 53, 54 and 55) and to abandon certain private easements in an area zoned M-2, Heavy Industrial.
  2. Determined that a Zoning Hardship did not exist and denied the request of Search Development for a Zoning Variance to reduce the required rear yard from 7 1/2 feet to 5 feet at 2348 West Vine Street (i.e., APN 027-040-42) in an area zoned R-C-P, Residential-Commercial-Professional.

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of October 27, 1986:

The Planning Commission:

FOR ACTION OF THE CITY COUNCIL

- CC-35  
CC-45(d)
1. Recommended that the street name of Sunbird Circle, which is located in Johnson Ranch Subdivision #1 be changed to Sandpiper Circle in order to eliminate a possible conflict with Songbird Place located in Tandy Ranch Subdivision.

On motion of Council Member Snider, Hinchman second, Council set the heretofore listed item for Public Hearing at the Regular Council Meeting of November 19, 1986 at 7:30 p.m.

OF INTEREST TO THE CITY COUNCIL

The Planning Commission also -

- CC-35
1. Directed the Community Development Director to issue a Certificate of Compliance on the request of Baumbach and Piazza, Consulting Engineers on behalf of Dr. Dennis Swanson, et al to adjust the lot line between 918 South Fairmont Avenue (APN 031-130-22) and 1001 Windsor Drive (APN 031-130-21) in an area zoned R-C-P, Residential-Commercial-Professional.

The Planning Commission's approval is subject to the property owner meeting the conditions as required by the Public Works Department.

2. Determined that a Zoning Hardship did not exist and denied the request of Gary A. Kroll for a Zoning Variance to construct a duplex on a lot located at 730 South Stockton Street within the boundaries of the Eastside Moratorium area. The underlying zoning of the property is R-MD, Medium Density Multiple Family Residential.
3. Conducted a discussion of the six Measure "A" items appearing on the November 4, 1986 ballot.

Continued November 5, 1986

COMMUNICATIONS  
(CITY CLERK)

City Clerk Reimche presented the following items under this segment of the agenda:

PUC APPLICATIONS

CC-7(f)

- a) Trailways Lines, Inc. for Authority to Abandon Regular Route Passenger State Service between all Points in California with exceptions and for an in lieu Certificate of Public Convenience and Necessity Authorizing all Other Passenger State Service. Application No. 86-09-006.
- b) Supplement to Application No. 86-09-006
- c) Motion to Dismiss Application No. 86-09-006
- d) PG&E has filed Application No. 86-09-055 in which it requests authority from the California Public Utilities Commission under its Gas Adjustment Clause (GAC) to increase its gas rates, effective January 1, 1987, by about 5.4% or by approximately \$136.3 million on an annualized basis.

ABC LICENSES

CC-7(f)

- a) Safeway Stores Holdings Corporation, a Delaware Corp.  
Safeway Store #536  
215 East Lodi Avenue  
Lodi  
Off Sale General, Type 21  
Person to Person
- b) Robert A. Trowbridge  
Del Monte Club  
121-23 North Cherokee Lane  
Lodi  
On Sale General Eating Place  
Exchange
- c) Jimmy W./Mary Jo Norton  
El Rancho Bar and Grill  
621 North Cherokee Lane  
Lodi  
On Sale General Eating Place W./Caterers Permit  
Person to Person

POSTING FOR VARIOUS  
VACANCIES ON CITY  
BOARDS AND  
COMMISSIONS

CC-2(h)

CC-2(i)

On motion of Mayor Pro Tempore Olson, Hinchman second, Council directed the City Clerk to make the appropriate postings pursuant to the State of California Government Code regarding the hereinafter listed terms:

RECREATION COMMISSION

(4-year term)  
David J. Reese

Dennis Swanson

LODI SENIOR CITIZENS COMMISSION

(4-year term)  
Delores J. Dickey

Continued November 5, 1986

REQUEST FROM  
ASSEMBLYMAN ISENBERG  
FOR OFFICE SPACE AT  
HUTCHINS STREET  
SQUARE

CC-6  
CC-27(e)

Following receipt of a request from Assemblyman Phil Isenberg for office space at Hutchins Street Square - Senior Information Center, Council was informed that there is presently no room available and that Assemblyman Isenberg will be so advised.

REQUEST TO PROHIBIT  
FISHING AT LODI  
LAKE PARK

CC-27(c)

Following receipt of a letter from Lori Blanke asking that Council prohibit fishing in Lodi Lake in an effort to protect the ducks, Mayor Reid directed the matter to Staff and to the Recreation Commission for review and recommendation.

REQUEST TO DEVELOP  
PROFILE ON LODI

CC-6  
CC-39

Following receipt of a proposal by Torme and Company on behalf of Pacific Bell Director to develop a profile on Lodi, Council, on motion of Council Member Hinchman, Reid second referred the matter to Staff for review and report back to the Council at a future date.

COMMENTS BY CITY  
COUNCIL MEMBERS

LODI/TOKAY BAND  
REVIEW APPLAUDED

CC-9  
CC-39

Following introduction of the matter by Mayor Pro Tempore Olson, Council applauded the recent Lodi/Tokay Band Review and all of the outstanding young people who participated. The ongoing efforts of the Grand Marshals Robert and Helen Gross were acknowledged with deep appreciation by the Council.

CONCERN REGARDING  
SPEED ZONE CHANGES  
IN AREA OF NORTHEAST  
ENTRANCE TO CITY

CC-16  
CC-24(b)

Mayor Pro Tempore Olson advised that she had received complaints regarding the various speed zone changes coming into the City going south across the Mokelumne River Bridge. City Manager Peterson indicated that he would look into the matter.

COMMENTS BY THE  
PUBLIC ON NON-  
AGENDA ITEMS

APPRECIATION FOR  
ENDORSEMENT OF  
"DRUG AWARENESS  
MONTH"

CC-9

Mr. Ken Owen, 10908 Micke Grove Road, extended his appreciation to Council for its endorsement of "Drug Awareness Month".

REQUEST TO RESCIND  
EXTENDED PERMIT  
PARKING IN AREA OF  
THE PACIFIC COAST  
PRODUCERS FACILITY

CC-16  
CC-48(1)

Following receipt of a request from Mr. Robert Beach, 212 East Flora Street, Lodi, asking that the expanded permit parking program recently established in the P.C.P. area be rescinded, Council Member Hinchman indicated that he will walk the subject area with the complainant and report back to the Council.

Continued November 5, 1986

REPORTS OF THE  
CITY MANAGERCITY OF LODI FIVE-  
YEAR TRANSIT PLAN  
ADOPTED

RES. NO. 86-161

CC-50 (b)  
cc 3cc

Council was apprised that public transit remains a major service provided in Lodi and San Joaquin County. In order to continue providing high levels of service, avoid duplication of service and plan for future growth and development of transit systems, it is necessary to plan ahead. To this end each transit provider in San Joaquin County adopts a five-year plan for its operations. A copy of the proposed City of Lodi Five Year Transit Plan was presented for Council's perusal. The plan includes a discussion on current issues: Sunday service, evening service, fixed route service, inter-city service, and coordination with San Joaquin County.

The City objectives are to continue to meet the reasonable transit needs of all City residents in the most cost effective means possible. This includes fostering community awareness, clean vehicles, courteous drivers, adequate insurance and assisting San Joaquin County to meet their unmet needs.

Following discussion with questions being directed to Staff, Council on motion of Council Member Snider, Hinchman second, adopted Resolution No. 86-161 adopting the City of Lodi Five Year Transit Plan.

APPROVE PARKING  
DESIGNATIONS FOR  
RELOCATIONS OF BUS  
TERMINAL

RES. NO. 86-162

CC-6  
CC-16  
cc 3cc

City Manager Peterson advised that staff had received a request to establish bus and passenger loading zones at the northeast corner of Pine and Stockton Streets. The vacant building at this location is the proposed site of the relocated Greyhound bus depot. Since no off-street parking is available on-street loading is being requested.

Since Stockton Street is wider than Pine Street (56 feet vs. 50 feet) and carries less traffic 3,330 vs. 6,400 daily traffic), it is more appropriate to place the bus zone there. The driveway on Pine Street will not be used as part of this use and with the addition of approximately eight feet of white curb, it will provide an adequate pedestrian loading zone.

Under the Lodi City Code, the City Council is authorized to establish a bus loading zone. Since they will be using the City street and right-of-way as part of their loading operation, it is recommended that the operation be allowed under a City of Lodi Encroachment Permit so the City retains the ability to control the right-of-way use.

Since the parking designations are for the sole purpose of operating a bus terminal, it is felt that the owner should pay for the modifications. This is similar to the School District's requests. It is recommended that the owner pay the cost of this modification which is \$500.00. This includes sign installation, curb painting, parking stall removal, etc.

Mr. Gene Walton, Attorney-at-Law, representing Greyhound and his wife, owner of Travel by Charles addressed the Council regarding the matter and responded to questions as were posed by the Council.



Continued November 5, 1986

Mrs. Colleen Walton, 636 Carla Way, Lodi, also addressed the Council regarding the matter and responded to questions.

Mr. Fred Muther, 904 Sylvia Drive, Lodi, owner of the subject property also addressed the Council on behalf of the matter.

Addressing the Council regarding their concerns about parking in the area were:

- a) Mr. Richard Lang, Lodi Screen Arts, 16 North Stockton Street, Lodi
- b) Mr. Sam Fernandez, 417 East Pine Street, Lodi
- c) Mr. Ted Rosen, owner of Brackett's Garage, 21 North Stockton Street, Lodi
- d) David Peat, owner of Dave and Davies Boat Repair, 10 North Stockton Street, Lodi

Also addressing the Council was Mr. Paul Taromino, owner of the property where the Greyhound Bus Depot is presently located.

Following a lengthy discussion, on motion of Council Member Hinchman, Olson second, Council adopted Resolution No. 86-162 approving parking designations for the relocation of the Greyhound Bus Depot at the northeast corner of Pine and Stockton Streets and ordered that the operation be allowed under a City of Lodi Encroachment Permit, and that the owner pay all signing costs.

Council Member Hinchman stressed his concern that staff needs to look at this portion of the business community and that a parking study be completed of the area.

RECESS

Mayor Reid declared a five-minute recess and the meeting reconvened at approximately 9:35 p.m.

REPORT RE PLANNING  
COMMISSION ACTION  
RE ZONING VARIANCE  
REQUEST - 730 SOUTH  
STOCKTON STREET,  
LODI

CC-53(b)

Following receipt of a report from the Planning Commission advising that it determined that a zoning hardship did not exist and its denial of the request of Gary A. Kroll for a Zoning Variance to construct a duplex on a lot located at 730 South Stockton Street within the boundaries of the Eastside Moratorium area, Council was apprised that Mr. Kroll did not appeal the action of the Planning Commission.

With the tacit concurrence of the Council, the matter was withdrawn from the agenda.

"NO PARKING"  
ESTABLISHED ON  
LOCKEFORD STREET,  
WEST OF CHURCH STREET

RES. NO. 86-163

CC-48(e)  
cc 300

Council was apprised that recently, Lockeford Street has been widened and repaved from Pleasant Avenue to Church Street. "No Parking" zones are recommended to accommodate an additional two-way left turn lane and a through lane. The street was widened to provide four travel lanes. The two-way left turn lane was recommended to eliminate the railroad tracks from the through lanes and provide a turn pocket at Church Street.

Continued November 5, 1986

Council, on motion of Council Member Pinkerton, Olson second, adopted Resolution No. 86-163 establishing "No Parking" zones on Lockeford Street, 170 feet W/Church Street to Church Street on the north side, and 205 feet W/Church Street to Church Street on the south side.

BID AWARD - FINE ARTS  
BUILDING, HUTCHINS  
STREET SQUARE

RES. NO. 86-164

CC-27(e)

At its regular meeting of August 20, 1986, the City Council authorized the advertisement for bids for the restoration of the Fine Arts Building at Hutchins Street Square. Mr. Dennis Bennett, president of the Old Lodi Union High School Site Foundation, had earlier requested City Council appropriation of \$450,000 in the form of a loan to the Foundation to undertake this project. In its adoption of the 1986-87 Operating Budget, the City Council approved the appropriation of \$500,000 to the Capital Outlay Reserve Fund for this purpose. The balance of the funding needed to undertake and complete this project will be supplied by the Old Lodi Union High School Site Foundation.

Bids were received and opened September 24, 1986. The bid summary is heretofore set forth. The total bid represents the base bid of \$744,500, plus the inclusion of Alternate No. 4, which provides for the removal of the existing roof and the re-roofing of the entire building at a cost of \$14,600. Since that time there has been considerable discussion with the low bidder concerning a number of aspects of the project. It is possible there may be some change orders that could reduce the total amount.

HUTCHINS STREET SQUARE  
FINE ARTS COMPLEX  
LODI, CALIFORNIA

Bid Tabulation

Name of Bidder	Base Bid	Alternates:			
		#1 (Garden)	#2 (north porch)	#3 (walkway)	#4 (roof)
Roek Constr. Stockton, CA	<u>\$744,500</u>	63,500	34,500	12,000	14,600
Grove Constr. Modesto, CA	<u>\$758,452</u>	57,433	33,986	7,711	17,652
Diede Constr. Lodi, CA	<u>\$760,575</u>	58,503	36,899	14,316	9,900
Molfino Constr. Lodi, CA	<u>\$787,391</u>	57,772	34,441	11,277	12,965

Bids opened: September 24, 1986  
11:00 a.m.  
Lodi City Hall

Mr. Dennis Bennett, president of the Old Lodi Union High School Site Foundation, addressed the Council regarding the matter and responded to questions as were posed by members of the Council

Continued November 5, 1986

Following discussion, on motion of Council Member Snider, Olson second, Council appropriated \$759,100.00 from the Capital Outlay Reserve for the restoration of the Fine Arts Building, Hutchins Street Square, and adopted Resolution No. 86-164 awarding the bid, including Alternate No. 4 to the low bidder, Roek Construction Company, in the amount of \$759,100.00.

Further, following additional discussion, on motion of Council Member Hinchman, Olson second, Council confirmed that, pursuant to the heretofore listed action, the Old Lodi Union High School Site Foundation is to reimburse the City at the earliest possible date \$759,100.00.

RESOLUTION AWARDING  
COMMUNITY CABLE  
TELEVISION SYSTEM  
REFRANCHISING TO KING  
VIDEOCABLE COMPANY

RES. NO. 86-165

CC-22(c)

City Manager Peterson presented for Council's perusal and approval a draft resolution entitled, "Resolution Granting Non-Exclusive Community Cable Television System Franchise" giving a chronology of events leading to the presentation of the subject resolution for Council's adoption.

Following discussion with questions being directed to Staff, Council on motion of Mayor Reid, Olson second, adopted Resolution No. 86-165 - "Resolution Granting Non-Exclusive Community Cable Television System Franchise" providing for the refranchising of King Videocable Company to furnish cable television service in the City of Lodi for a 20-year period commencing November 6, 1986.

LOAD RESEARCH  
PROGRAM CONCEPT  
APPROVED

CC-51(d)

Electric Utility Director Henry J. Rice introduced agenda item K-6 relating to the load research program concept. Mr. Rice advised that the nature of electrical use, its patterns, trends and forecasts into the future are important to electrical utilities. The need for increased accuracy in forecasting and its close relationship to capital and energy costs make load research a very important tool to this end. Load research is the method used to obtain data for a representative cross section of City customers for use in, but not limited to, system planning, cost analysis, rate determination and load forecasting. Load research is performed by installing a limited number of meters which record and store load data on a continuous basis.

Installation of all metering devices and final checkout of data translation equipment must be concluded prior to the peak season. Reliable data from a load research program will not become available in less than two years and may require a full three-year period for verification.

Determination of the least number of required data collection devices is based upon a sophisticated statistical analysis. Several months delay in implementing this program was necessitated while the statistical analysis was performed. Initiation of the load research program at this time will allow sufficient time to go out for bid, install the devices and check out the system prior to utility's 1987 peak season. Therefore, collected and analyzed data would become useful in 1989.

Continued November 5, 1986

Additional information regarding the subject was presented by Mr. Rice.

A lengthy discussion followed with questions being directed to Staff. Council, on motion of Mayor Pro Tempore Olson, Hinchman second, approved the transfer of funds in the amount of \$124,205.91 from the 16.1 650.23 - 500 account to the System Equipment Purchase Account - 16.680.01 - 519 for program implementation of the Electric Utility Load Research Program.

Further, Council, on motion of Mayor Pro Tempore Olson, Reid second, approved the specifications for the purchase of solid state data recorder and associated software and authorized the advertising for bids thereon.

REQUEST FROM BOOSTERS  
OF BOYS/GIRLS SPORTS  
ORGANIZATION FOR CITY  
TO HOLD THAT ORGANIZATION  
HARMLESS IN ITS  
ACTIVITIES TO A LIMIT  
OF \$250,000

CC-6  
CC-21.1(a)  
CC-40

Assistant City Manager Glenn reported that the lack of liability insurance has manifested itself in the non-reliability of the liability coverage the Boosters of Boys and Girls Sports, Inc. (BOBS) once had. The Board of Directors has been without insurance since September 19, 1986. The members of the Executive Board are concerned that their volunteer services have placed their personal net worth in jeopardy.

The BOBS have requested that the City of Lodi hold that organization harmless in its activities to a limit of \$250,000.

Mr. Glenn reported that the Joint Powers Insurance Authority will not share losses with BOBS as it is a separate entity with its own elected Board of Directors. Even if they would share these losses, the City of Lodi would be individually liable for the first \$250,000.

Addressing the Council concerning the matter was Mr. Robert Mullen, Attorney-at-law.

Following discussion, on motion of Council Member Snider, Pinkerton second, Council determined that it would provide defense costs and damages up to \$250,000 per occurrence to the Boosters of Boys and Girls Sports, Inc.

APPEAL OF AVENUE  
INVESTMENT REGARDING  
ASSESSMENT OF NEW  
SEWER CONNECTION FEE  
ON ITS LODI AVENUE/HAM  
LANE DEVELOPMENT

CC-16  
CC-44  
CC-51(a)  
CC-56

Council Member Snider asked to abstain from discussion and voting on the following matter, because of a possible conflict of interest.

City Manager Peterson reminded the Council that a letter had been received from Mr. C. A. Wentland, Managing Partner of Avenue Investment, protesting the new sewer connection fee with regard to his Lodi Avenue/Ham Lane development. Mr. Wentland had just received word that the approved plans for development of Suite "O" at 1300 West Lodi Avenue and learned that they would be assessed the connection fee at the new rate rather than at the previous rate.

Continued November 5, 1986

Mr. Wentland's letter was presented at the Regular Council Meeting of October 15, 1986 and was referred to staff at that time for review and the presentation of a recommendation at this meeting.

City Manager Peterson further advised the Council that on October 1, 1986, the City Council adopted Resolution No. 86-152 which established an increase in the sewer connection fees. Subsequent thereto, it was determined that a number of buildings had been erected or were under construction within the City prior to the date of the adoption of the sewer connection fees. These buildings are in a status that could best be described as a "shell" structure. At the time those projects were initiated, the developer did not pay sewer connection charges because the ultimate occupant and the interior finish were unknown. The developers are required to pay the sewer connection fees when they acquire a building permit for the "tenant improvements".

Since the plans and specifications for the "shell" structures had already been approved by the Building Division and necessary permits issued prior to the time the new fee structure was adopted, it seems logical to "grandfather" these buildings. Accordingly, it is recommended that the sewer connection charges for the "tenant improvements" in these structures be based on the previous schedule because the "shell" either existed or was under construction when the City Council acted on October 1, 1986.

Staff estimates there are perhaps 10-12 buildings in this category in the City. Further information regarding the subject was provided by Community Development Director Schroeder.

Following discussion, on motion of Mayor Pro Tempore Olson, Hinchman second, Council authorized the application of the City's previous sewer connection fee schedule in those situations where "shell" structures were constructed or under construction, prior to October, 1986.

The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson,  
Pinkerton, and Reid  
(Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Snider

#### ORDINANCES

ORDINANCE EXTENDING  
EASTSIDE BUILDING  
MORATORIUM ON  
CONVERSION OF  
SINGLE-FAMILY HOMES  
TO MULTI-FAMILY IN  
CERTAIN AREAS OF  
THE CITY

ORD. NO. 1394  
ADOPTED

Ordinance No. 1394 - entitled, "An Ordinance of the City

Continued November 5, 1986

CC-6  
 CC-24(b)  
 CC-35  
 CC-53(a)

Council Extending the Time Period of Building Moratorium on Conversion of Single-Family Homes to Multiple-Family in Certain Defined Areas Pursuant to State of California Government Code Section 65858" having been introduced at a regular meeting of the Lodi City Council held October 15, 1986 was brought up for passage on motion of Council Member Snider, Hinchman second. Second reading of the Ordinance was omitted after reading by title and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson,  
 Pinkerton, Snider, and  
 Reid (Mayor)

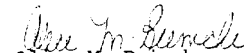
Noes: Council Members - None

Absent: Council Members - None

## ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 10:50 p.m. to a meeting of the City of Lodi Industrial Development Authority.

ATTEST:

  
 Alice M. Reimche  
 City Clerk